

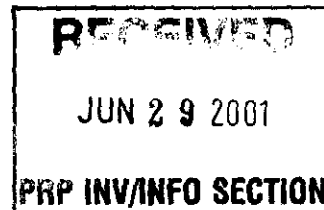


345600

**ALLIED WASTE
INDUSTRIES, INC.**

June 29, 2001

U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029



Attn: Carlin Prisk

Re: Lower Darby Creek Area Site - Clearview Landfill, Folcroft Landfill, and Folcroft Landfill Annex

Dear Ms. Prisk:

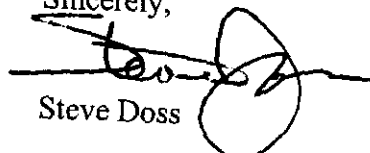
On behalf of Allied Waste Industries, Inc., the corporate parent of Browning-Ferris Industries, Inc. ("BFI"), I am responding to EPA's letter of May 18, 2001, to BFI requesting information pursuant to CERCLA § 104(e) regarding the above referenced site.

As an initial matter, I wanted to bring to your attention that BFI is a holding company that does not engage in the waste disposal business. BFI is, however, the corporate parent of companies with businesses that have information that is responsive to your request. To the extent that BFI has access to those documents, we are hereby providing what relevant information we have so far been able to locate.

EPA previously granted BFI an extension until June 30, 2001, to file a response to its information request. This response incorporates all information that could be obtained through June 29, 2001. As explained during the telephone conversation between our outside counsel, Jeff Martin, and you, and in Jeff Martin's confirming letter of June 4, 2001, some additional time beyond June 30, 2001, will be required to locate and review documents and to interview employees. BFI is continuing to conduct a diligent search for any relevant documents, and is continuing its efforts to locate individuals who may have knowledge concerning the subject matter of EPA's request.

The following response is based on the search conducted to date. We are hopeful that we will be able to complete our investigation by July 31, 2001, and that we will be able to answer each of the enumerated requests by that date. We will attempt to contact you early next week, but if in the interim you should have any questions please contact either Jeff Martin or me at the numbers provided in our response.

Sincerely,



Steve Doss

1. Provide any and all information and records regarding your purchase of Eastern [Industrial] including, but not limited to, the following:
 - a. The purpose of the purchase;
 - b. The date of the sale;
 - c. The sale price;
 - d. A list of all equipment, buildings, and other business capital that was included in the sale;
 - e. A list of all waste transportation contracts included or referenced in the purchase agreement;
 - f. A list of all the agreements and/or contracts with landfills and other waste disposal facilities included or referenced in the purchase agreement;
 - g. The names, title, addresses, and phone numbers of any of your employees or representatives that may have knowledge of the purchase agreement and its terms.

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request. BFI attaches as Exhibit A the following document:

Exhibit A: Plan of Merger, dated December 22, 1988, among American Waste-A-Way Corp., Edward Lawrenson, Inc., and Eastern Industrial Corp.

2. State whether you notified existing Eastern customers or otherwise advertised yourself to Eastern customers or the public as a continuation of the Eastern business.

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

3. Did you hire or otherwise retain any of Eastern's employees subsequent to the purchase of Eastern?

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

4. Did you continue to transport waste to Clearview, Folcroft and/or Folcroft Annex after the purchase of Eastern?

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

5. List and provide all records regarding the waste types and quantities transported by you to Clearview, Folcroft and/or Folcroft Annex.

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

6. List and provide all records regarding the customers serviced by you that may have been transported to Clearview, Folcroft and/or Folcroft Annex.

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

7. Were you involved in the operation or management of Clearview, Folcroft and/or Folcroft Annex or in any other business relationship involving the owners or operators of Clearview, Folcroft and/or Folcroft Annex?

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

8. Describe your business relationship with the following individuals or companies.

- a. Mr. Mike Wilson;
- b. S. Buckly Trash Hauling;
- c. Barratt Rupert Hauling Service;
- d. Tri-County Hauling;

- e. McCloskey Engineering, Inc.;
- f. Mr. Bernie McNichol;
- g. Mr. Harry McNichol;
- h. Tri-County Landfill;
- i. Mr. Charles Frank; and
- j. Mr. Matt Brimmeier.

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

9. Did you conduct, or did any person or entity conduct on your behalf, any environmental assessments or investigations relating to contamination at Clearview, Folcroft, Folcroft Annex, or any other Site areas?

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

10. If you have any information about other parties who may have information that may assist the EPA in its investigation of Clearview, Folcroft and Folcroft Annex and the other Site areas, including information regarding parties responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information.

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

11. Representative of your establishment(s):

- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.

Response. Steve Doss
Manager, Superfund

Allied Waste Management, Inc.
15880 N. Greenway-Hayden Loop
Suite 200
Scottsdale, AZ 85260
(480) 627-7082

- b. Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.

Response. Steve Doss
Manager, Superfund
Allied Waste Management, Inc.
15880 N. Greenway-Hayden Loop
Suite 200
Scottsdale, AZ 85260
(480) 627-7082

Jeffrey N. Martin
Hunton & Williams
1900 K Street, NW
Washington, DC 20006
(202) 955-1552

12. If any of the documents solicited in this information request are no longer available, please indicate the reason that they are no longer available. If the records were destroyed, provide us with the following:

- a. Your document retention policy;

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request. BFI attaches as Exhibit B the following document:

Exhibit B: Title: BFI Record Retention and Destruction
Date: 09/01/75
Rev: 11/01/94

- b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to

search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

- c. A description of the type of information that would have been contained in the documents; and

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

- d. The name, job title, and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.

Response. BFI is unable to answer this request at this time in light of our exhaustive efforts as of this date to locate information related to this question. BFI is continuing to search for relevant documents and to identify and interview appropriate witnesses in order to respond to this request.

88971452

PLAN OF MERGER

Edward Lawrenson, Inc. and Eastern Industrial Corporation,
into American Waste-a-Way Corp.

Plan of Merger dated this 22 day of December, 1984 by and
among AMERICAN WASTE-A-WAY CORP. ("American Waste-a-Way"), a
Pennsylvania corporation, EDWARD LAWRENSON, INC. ("Lawrenson"), a
New Jersey corporation, and EASTERN INDUSTRIAL CORP. ("Eastern"),
a Pennsylvania corporation.

BACKGROUND

American Waste-a-Way is the record or equitable owner of all
of the outstanding shares of the capital stock of both Lawrenson
and Eastern. The directors of American Waste-a-Way, Lawrenson
and Eastern believe that it is in the best interest of all three
corporations that Lawrenson and Eastern be merged into American
Waste-a-Way.

NOW, THEREFORE, in consideration of the mutual undertakings
hereinafter set forth, American Waste-a-Way, Lawrenson and
Eastern agree as follows:

1. Lawrenson shall be merged into American Waste-a-Way upon the
effective date of this plan of merger.
2. Eastern shall be merged into American Waste-a-Way upon the
effective date of this plan of merger.
3. American Waste-a-Way shall be the surviving corporation.

4. The directors and officers of the surviving corporation shall be as follows:

DIRECTORS:

Alfred E. Hawthorne
John Moore
Edward Lawrenson
Frank DiSantis
Patricia Lawrenson

OFFICERS:

Alfred E. Hawthorne	President
John Moore	Vice President
Edward Lawrenson	Vice President
Frank DiSantis	Treasurer/Assistant Secretary
Patricia Lawrenson	Secretary

5. The number of shares of common stock of American Waste-a-Way Corp. is and shall remain 1,000,000 shares of common stock no par value of which 1,000 shares are issued and outstanding. The authorized preferred stock of American Waste-a-Way shall be eliminated. No preferred stock of American Waste-a-Way is presently issued and outstanding.

6. The capital stock of Lawrenson shall be completely cancelled upon the effective date of the merger.

7. The capital stock of Eastern shall be completely cancelled upon the effective date of the merger.

8. Upon the effective date of this plan of merger, all of the assets of Lawrenson and of Eastern shall be deemed transferred to American Waste-a-Way. American Waste-a-Way shall be deemed to have assumed all of the obligations and liabilities of Lawrenson

and Eastern, and the capital stock of Larrenson and Eastern shall be cancelled, subject to the filing of the necessary articles of merger, certificate of merger, and such other documents as may be necessary in order to consummate the said merger with the Commonwealth of Pennsylvania and the State of New Jersey.

9. Articles of Incorporation of American Waste-a-Way Inc and they hereby are amended and restated in their entirety as follows:

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
AMERICAN WASTE-A-WAY CORP.

1. The name of the corporation is: AMERICAN WASTE-A-WAY CORP.

2. The location and post office address of the initial registered office of the corporation in this Commonwealth is: 924 Cedar Grove Road, Broadall, Pennsylvania 19008.

3. The corporation is incorporated under the Business Corporation Law of the Commonwealth of Pennsylvania for the following purpose or purposes: The corporation shall have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law, approved the 31st day of May A.D. 1933, P.L. 364, as amended, including but not limited to, the power to engage in the business of manufacturing, processing, research and development.

4. The term for which the corporation is to exist is: perpetual.

5. The aggregate number of shares which the corporation shall have authority to issue is: 1,000,000 shares of common stock, no par value.

6. All holders of common stock shall have preemptive rights to subscribe for any shares, common or otherwise, option rights,

of securities having conversion or option rights with respect to such stock, issued or sold by the corporation from its treasury or otherwise for any form of consideration.

IN TESTIMONY WHEREOF, the undersigned corporations have caused this plan of merger to be signed by its duly authorized officer this Monday of December, 1938.

Attest:

EDWARD LAWRENSON, INC.

Edw. Lawson
FELICIA LAWRENSON, Secretary

By: Edw. Lawson
Edward Lawrenson, President

EASTERN INDUSTRIAL CORP.

Attest:
John M. Moore
JOHN MOORE, Secretary

By: Alfred E. Lawrence
Alfred E. Lawrence,
President

AMERICAN WASTE-A-WAY CORP.

Attest:
Felicia Lawrenson
FELICIA LAWRENSON, Secretary

By: Alfred E. Lawrence
Alfred E. Lawrence,
President

Commonwealth of Pennsylvania



Department of State

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, Under the provisions of Article IX of the Business Corporation Law (Act of May 3, 1933, P. L. 354), as amended, the Department of State is authorized and required to issue

CERTIFICATE OF MERGER

in witness whereof the merger of any one or more domestic corporations and any one or more foreign corporations into one of such domestic corporations under the provisions of that Law:

AND WHEREAS, The stipulations and conditions of that Law relating to the merger of such corporations have been fully complied with by EDWARD LAURENSEN, INC., a New Jersey corporation, EASTERN INDUSTRIAL CORP., a Pennsylvania corporation and AMERICAN WASTE-A-WAY CORP., a Pennsylvania corporation.

IT IS, THEREFORE, CERTIFIED, That from the Articles of Merger filed with the Department of State, it appears that EDWARD LAURENSEN, INC., a New Jersey corporation and EASTERN INDUSTRIAL CORP., a Pennsylvania corporation have been merged into and with AMERICAN WASTE-A-WAY CORP., a Pennsylvania corporation.

THEREFORE, KNOW YE, That subject to the Constitution of this Commonwealth, and under authority of the Business Corporation Law, I DO BY THESE PRESENTS, which I have caused to be sealed with the Great Seal of the Commonwealth, hereby declare that the Pennsylvania corporation shall be the surviving corporation, under the name, style, and title of

AMERICAN WASTE-A-WAY CORP.

whose Articles are therein recited in their entirety, and henceforth shall not include any prior documents and which shall continue to be invested with and have and enjoy all the powers, privileges and franchises incident to a domestic business corporation, and be subject to all the duties, requirements and restrictions specified and enjoined in and by the Business Corporation Law and all other applicable laws of this Commonwealth.

GIVEN under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 23rd day of December, in the year of our Lord one thousand nine hundred and eighty-eight and of the Commonwealth the one hundred and thirtieth.

Effected: December 31, 1933 - 5:00 P.M.

John F. Shoyt

filing fee \$10 plus \$10
 for each party corporation
 in excess of two
 -3-51

Articles of Merger—
 Business Corporations

88071450

(Line for numbering)

1010 770

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF STATE
 CORPORATION BUREAU

Commonwealth of Pennsylvania
 Department of State

RECEIVED 5 PM 12-31-83

John J. [Signature]

Secretary of the Commonwealth

(Box for Certification)

In compliance with the requirements of section 903 of the Business Corporation Law, act of May 5, 1933 (P. L. 364) (15 P. S. §1903), the undersigned corporations, desiring to effect a merger, hereby certify that:

1. The name of the corporation surviving the merger is:

American Waste-A-Way Corp.

2. (Check and complete one of the following):

☒ The surviving corporation is a domestic corporation and the location of its registered office in this Commonwealth is (the Department of State is hereby authorized to correct the following statement to conform to the records of the Department):

924 Cedar Grove Road

(NUMBER)

(STREET)

Broomall

(CITY)

Pennsylvania 19008

(ZIP CODE)

☐ The surviving corporation is a foreign corporation incorporated under the laws of _____

(NAME OF JURISDICTION)

_____ and the location of its office registered with such domiciliary jurisdiction is:

(NUMBER)

(STREET)

(CITY)

(STATE)

(ZIP CODE)

3. The name and the location of the registered office of each other domestic business corporation and qualified foreign business corporation which is a party to the plan of merger are as follows:

Edward Lawrenson, Inc.
 (NJ corp.)
 Route 41
 Deptford, NJ 08096

924 Cedar Grove Road
 Broomall, PA 19008
 (PA corp.)

Eastern Industrial Corp.
 c/o CT Corp System
 127 S Broad St
 Phila, PA 19109

Browning-Ferris Industries



DATE 09/01/75

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Record Retention and Destruction

SECTION 011111

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It is the policy of the Company to retain all records for at least the minimum period as stated in applicable municipal, state and federal laws or regulations. All records which may substantially affect the obligations of the Company are to be retained for a period of time which will reasonably assure the availability of those records when needed. All records shall be clearly identified, properly stored and appropriately safeguarded. Each district office, regional office and corporate department shall establish and maintain an organized, labeled and secure filing system for all Company records. Destruction of records shall take place pursuant to a standard policy, and the confidentiality of records should be safeguarded during the destruction process. Depending on the degree of confidentiality, shredding of certain records may be required. A record of all documents that are being maintained and that have been destroyed should be maintained by each district office, regional office and corporate department.

The destruction procedure shall have a mechanism which will assure that it can be stopped to prevent the destruction of any records immediately upon being notified that the records relate to pending or threatened litigation. Please refer to Appendix "D" for the procedures applicable to suspension of destruction of documents in such circumstances.

Vital records are to be identified and appropriately safeguarded. In addition to originals, copies and duplicates of any and all tangible matter written, printed, typed, reproduced, recorded, microfilmed and graphic material, records maintained on magnetic tape or other electronic storage media are also to be covered by the record retention policy.

Unless otherwise required by law, it is the Company's policy to retain an executed original copy of all material documents in the Corporate Library in Houston in a permanent security file. It is our further policy that all such types of agreements be executed in triplicate originals, with one original copy to the other contracting party, one for the local office, and one to be sent to the Corporate Library. In the event that there is only one executed original document, the original should be sent to the Corporate Library, with a copy being retained by the district or regional office. While it would be difficult to list with particularity all the types of contracts and documents which are to be sent to the Corporate Library, the originals of the following specific types of contracts or documents should be sent immediately to the Corporate Library:

- (1) Operating permit or authority, if any, to engage in the waste business. This would not include an operating permit for each individual truck or a city license. This would include municipal contracts, including bids or bid specifications if they are incorporated by reference in the contract. Since the original of most permits are required to be kept at the facility, copies of all permits issued by federal, state or local environmental protection agencies, including air, water or land disposal permits should be sent to the Corporate Library.
- (2) Union contracts.
- (3) Leases of real property and long-term leases of personal property such as trucks or other heavy equipment.

The information in this manual is the property of Browning-Ferris Industries, Inc., Houston, Texas, and is to be used only in connection with the conduct of the business of BFI and/or its subsidiary companies. No part of the information is to be copied or transferred to any other person. The information contained herein is proprietary and confidential information directly relating to the profitability and success of BFI and its subsidiary companies.



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- (4) Deeds to real estate, including title policies, environmental evaluations, abstracts of title and other purchase documents in connection with the acquisition or ownership of land.
- (5) Sale, lease, distributorship or other type of marketing arrangements for major or specialized equipment.
- (6) Secrecy Agreements with customers or vendors.
- (7) Employment or Consulting Agreements.

It is the Company's policy that there shall be one designated person at each district, at each regional office and in each corporate department that shall be responsible for document retention and destruction. The Manager of the Corporate Library has been designated as the Corporate Record Retention and Destruction Coordinator, the Regional Controllers have been designated as the Regional Record Retention and Destruction Coordinators, the District Accounting Managers have been designated as the District Record Retention and Destruction Coordinators and each Corporate Department Head will designate a Department Record Retention and Destruction Coordinator for their department. The responsibilities of these coordinators are as follows:

Corporate Record Retention and
Destruction Coordinator - Manager of the Corporate Library

- (1) Maintains material documents in the Corporate Library and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that have been stored and the documents that have been destroyed (including destruction dates).
- (2) Establishes and maintains a Record Retention and Destruction Schedule in accordance with legal and tax requirements.
- (3) Obtains by December 31st of each calendar year annual certificates from the Regional and Department Record Retention and Destruction Coordinators verifying that each location or corporate department of the Company is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (4) Issues notifications of revised retention periods for documents required for legal proceedings, audits or investigations.
- (5) To safeguard the confidentiality of records during the destruction process, provides guidance to Company personnel regarding the proper methods of destruction of records.
- (5) When requested, provides guidance to Company personnel on filing and microfilming procedures. While most original documents may be destroyed after they have been microfilmed, certain original documents may need to be maintained. The Corporate Record



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Retention and Destruction Coordinator should be consulted prior to the implementation of a microfilming program.

Regional Record Retention and Destruction Coordinators -
Regional Controllers

- (1) Maintains the regional office's records and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that are being stored and the documents that have been destroyed (including destruction dates).
- (2) If considered necessary, the Regional Record Retention and Destruction Coordinator may issue regional record retention and destruction guidance and schedules to supplement this policy. Such regional policies may list additional records or instructions but must not contradict any instructions or retention periods stated in this policy. Drafts of any proposed regional record retention and destruction guidance policies should be sent to the Corporate Record Retention and Destruction Coordinator for review and approval before they are issued.
- (3) Forwards the regional office's original, material documents to the Corporate Library, ensuring that copies of all originals are retained for their records.
- (4) Obtains by December 15th of each calendar year annual certificates from each District Record Retention and Destruction Coordinator verifying that each district within the region is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (5) Submits by December 31st of each calendar year a certificate (See Appendix "B") to the Corporate Record Retention and Destruction Coordinator verifying that the region is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (6) Assists Corporate Legal Department personnel or outside counsel for the Company with document production requests.

District Record Retention and Destruction Coordinators -
District Accounting Managers

- (1) Maintains the district's records and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that have been stored and the documents that have been destroyed (including destruction dates).
- (2) Forwards the district's original, material documents to the Corporate Library, ensuring that copies of all originals are retained for their records.

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- (3) Submits by December 15th of each calendar year a certificate (See Appendix "C") to the Regional Record Retention and Destruction Coordinator verifying that the district is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (4) Assists Corporate Legal Department personnel or outside counsel for the Company with document production requests.

Department Record Retention and Destruction Coordinators -
Designated by Department Head

- (1) Maintains the corporate department's records and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that have been stored and the documents that have been destroyed (including destruction dates).
- (2) Forwards the corporate department's original, material documents to the Corporate Library, ensuring that copies of all originals are retained for their records.
- (3) Submits by December 15th of each calendar year a certificate (See Appendix "C") to the Corporate Record Retention and Destruction Coordinator verifying that the corporate department is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (4) Assists Corporate Legal Department personnel or outside counsel for the Company with document production requests.

RECORD RETENTION AND DESTRUCTION SCHEDULE

A record retention and destruction schedule for documents of a more general nature begins below. Document retention and destruction schedules for more specific documents, such as those produced by the Financial and Commercial Management Systems, are published in the manuals for those systems. Retention Period in the schedule that follows means the number of years a record needs to be maintained after it becomes inactive. An asterisk (*) in the Retention Period column indicates that all such records for years beginning after September 30, 1985 must be retained. As Internal Revenue Service audits are completed, this date will be updated. A "P" in the Retention Period column indicates that the record must be permanently maintained. You may be requested by the Corporate Record Retention and Destruction Coordinator or Company attorneys to keep certain records that relate to pending or threatened litigation. In those cases, the Retention Period expressed in this Record Retention and Destruction Schedule is to be automatically extended beyond the indicated Retention Period, and the specific records should be maintained until you are notified that they may be destroyed. If you have previously been requested to keep certain records, do not destroy those records until you have verified with the Corporate Record Retention and Destruction Coordinator that the records may be destroyed. If a specific contract requires certain records to be maintained that relate to either that



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job or that company, the records need to be maintained for that period of time in the event that the period specified in the contract is in excess of the policy retention period for those documents. If certain records have been kept for the Retention Period, a specific contract does not require a longer Retention Period and a notification has not been received that requires a longer Retention Period, the records should be destroyed as soon as possible after the end of the indicated Retention Period. If you have any questions regarding whether or not certain records should be kept, or if you are aware of any regulations that may require a longer period of retention for any documents, please contact the Corporate Record Retention and Destruction Coordinator.

<u>NAME OF RECORD</u>	<u>RETENTION PERIOD</u>
Accounts Payable	
History File	•
Invoices-Fixed Assets	•
Invoices - Other than Fixed Assets	•
Check Registers	•
Check Vouchers	•
Ledgers	•
Vendor Master	until superseded
Accounts Receivable	
Transactions	1 month
Invoices	•
Ledgers	•
Residential Payment Stub	6 months
Accounts Uncollectible	
Listings	•
Correspondence	2
Acquisitions (Completed)	
Accounting Workpapers	P
Closing Documents	P
Agreements and Contracts	10
Aircraft	
Maintenance Records	transferred at time of sale
Operating Records	•
Amortization Records - Property	P
Annual Reports - Financial	P
Articles of Incorporation	P
Audit Reports	
Environmental Audit	1 year after completion of action plan
Internal Audit Reports	4
Safety and Claims	2

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NAME OF RECORD	RETENTION PERIOD
Autoclave Operations	5
Time/Temperature graphs	
Volume/Weight processing reports	
Inspection/Maintenance checklists	
Manifest (shipping paper) records	
Bacteriological monitoring records:	
Air quality testing.	
Boiler water testing.	
pH of liquid of scrubber systems.	
Bank Records	
Deposits	3 months
Reconciliations	•
Statements	•
Wire Transfers	•
Bids	
Accepted Contracts	10
Rejected Contracts	6 months
Requests for (Purchasing)	2
Blueprints	
Facility Other Than Hazardous	until
Waste Facility	superseded
	P
Board Meetings	
Minutes	P
Notebook (1 copy)	P
Bonds	
Indemnity, Performance and	10
Surety	
Self-Insurance	P
Budget Files	3
By-Laws	P
Calendars/daytimers	no longer
	than 1 year
Cash Receipts	•
Checks, Cancelled	•
Claims	
With legal action	10
No legal action	6
Workmen's Compensation	P
Closure Plans	P
Compliance Orders	10

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Record Retention and Destruction

SECTION 011

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NAME OF RECORD	RETENTION PERIOD
Contingency Plans	until superseded
Contracts and Agreements	10
Copyrights	P
Correspondence	same retention period as record that it supports
Chronological and/or Reading File	2
Credit	
Applications	5
Authorizations	5
Department of Transportation Inspections	10
Discontinuation Reports	maintain current year annual report - 10 years
Disputes (see claims)	
Dividend Records	P
Dividend Register	P
Driver Records	
Brake Inspection Qualifications	end of employment + 1 year
Daily Log	4
Dispatch Logs	1
Driver Qualification Files	end of employment + 3 years
Annual Updates	3
Medical Examiner Certificate	until superseded
Controlled Substance Tests	
(NIDA) negative results	1
positive results	5
Productivity Sheets	4
Record of Duty Status, Hours of Service (395)	6 months
Route Sheets	4
Service Ticket	1
Easements	P
Engineering	
Drawings and Tracings	P
Patents	P
Plans - Landfill Sites	P
Projects, Abandoned	5
Projects, Completed	P

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NAME OF RECORD	RETENTION PERIOD
Reports, Final Drafts	P
Progress	5
Standards	P
Expense Reports (including supporting documentation)	*
General Ledgers	P
General Ledger Account Analysis	*
Financial Reports - Annual	10
Monthly	5
Fiscal Year-End Reports 81, 79	10
(All financial reports will be maintained by the Corporate External Reporting Department.)	
Fixed Assets	
Detail	* plus 3 years after end of year in which asset is sold
Fiscal Year-End Master File	P
Fiscal Year-End Reports	10
Forms	until superseded
Formulas	P
Franchises	P
Handbooks, Employee	P
Hazardous Waste Facility Operating Record (See Appendix "A")	
Historical Company Data	P
I.R.S. Rulings	P
Industrial Hygiene	
I.H. Survey & Monitoring Results	end of employment + 30 years
Chemical Inventory	end of employment + 30 years
Material Safety Data Sheets	product use + 30 years
OSHA Citations (Internal)	P
DOT Citations (Internal)	P
Insurance	
Certificates of Insurance	until superseded
Policies	P
Records other than Workmen's Compensation	6
Workmen's Compensation	10

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NAME OF RECORD	RETENTION PERIOD
Intercompany transactions with supporting documents	•
Internal Publications	P
Inventory	•
Listing	•
Plant and Fixture	P
Property	P
Supplies	2
Investment Tax Credit Computations	•
Journal Entries - Financial	•
Justice Department Negotiations	10
Labor Unions	
Contracts and Supporting Papers	10
Disputes	10
Landfills	
Accrued Landfill Repairs Report	P
Company Trend Analysis	P
Daily Operations Diary	3
District Manager's Monthly Inspection	until superseded
District Manager's Quarterly Report	1
Geological Reports	P
Geological Surveys	P
Groundwater/Surface Water Reports	P
Groundwater Monitoring Well Construction Details	
Well Drilling Permits	P
Well Abandonment Permits and Certificates	P
Map of Hole Locations	P
Hazardous Waste Landfill (See Hazardous Waste Facility Operating Record Appendix "A")	
Hourly Waste Flow Records	until superseded
Landfill P&L Statement	P
Landfill Transactions Report	P
Landfill Revenue Control Forms	
Forms Other Than Quarterly Checklist	1

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NAME OF RECORD	RETENTION PERIOD
Quarterly Checklist	3
Landfill Revenue & Disposal	P
Acct. Analysis	
Manifests	
For Wastes Generated by Company	3
For Incoming Special Waste at Non-hazardous Waste Facilities	P
For Wastes Transported by the Company	3
Methane Monitoring Reports	P
Operating Record	P
Closure/Post Closure Plans	
Corrective Action Documentation	
Financial Assurance Documentation	
Gas Monitoring Results	
Groundwater Monitoring	
Hazardous Waste Inspection Records	
Leachate/Condensate Recirculation Demonstrations	
Location Restriction Demonstrations	
Other Records that may be required by the Permit, State or Local authorities.	
Trip Tickets	5
Waste Characterization Data	P
Leases	10
Letters of Credit	10
Litigation	10
Manuals (1 copy)	P
Maps (Engineering, Property)	P
Market Research	10
This retention is for final reports and significant supporting papers. All others should be discarded when project is completed.	
Market Development Workpapers	*
Medical Waste Incinerator Operations	5
Time/Temperature graphs.	
Volume/Weight processing reports.	
Inspection/Maintenance checklists.	
Manifest (shipping paper) records.	

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Browning-Ferris Industries

Policy



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NAME OF RECORD	RETENTION PERIOD
Equipment testing results:	
Air quality testing	
Ash (T.C.L.P.) testing	
Boiler water testing	
pH of liquid of scrubber systems	
Memoranda, General	2
Minutes of Meetings (other than Board	No longer than
Committees or Senior Management Meetings)	6 months
Monitoring Reports	P
News Releases	P
Notes	
Meeting notes not required by law	1
Sales and Marketing	3 months
OSHA	
Evidence of Correction	10
Inspections	10
200 Log	5
200's Annual Survey	5
OSHA 101 Supplementary Record of Occupational	
Injuries and Illness or First Report of Injury	5
Employment Hearing Test Results	end of employment + 5 years
Hearing Conservation Management Reports	3
Opinions, Legal	P
Organizational Charts (1 copy)	P
Partnerships	10
Patents	P
Payroll Records	
Deductions	•
Earnings Records	P
Garnishments	10
Master File (ADP)	1
Management Summaries (ADP)	1
Quarterly Wage and Tax Reports	•
(ADP)	
Rate/Bonus Authorizations	5
Register	10
Relocation	5
Sick Benefits	10
Time Cards	•
Worksheets	1
Permit Applications	P

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NAME OF RECORD	RETENTION PERIOD
Permits - Facility	P
Personnel	
Affirmative Action Claims	6
Applications, Rejected	2
Attendance Records	5
Benefit Plans	P
Contracts	10
Discrimination Claims	10
Education and Training	end of employment plus 5 years
Employee Records Folder:	end of employment plus 5 years
Application	
Evaluations	
Memos	
Personnel Action Notice (PAN)	
W-4	
Incentive Plans	5
Job Descriptions	P
Medical Information/Health Records	
Audiometric Test Results	end of employment + 5 years
Individual Case studies	
Employee Hearing Test Reports	end of employment + 5 years
Noise Exposure Measurement Records	2 years
Chest X-Ray Original Film	employment + 30 years
Chemical Exposure Record	employment + 30 years
Drug Screen Results	5 years
Drug Program Reports	5 years
COC or MRO Drug Screen Result forms	5 years
Computerized Medical data in HRS	P
Microfilmed Medical Surveillance Records	
Physical Examinations, including medical history & assessment, medical test results on:	end of employment + 30 years
Preplacement Physicals	
Periodic Physicals	
D.O.T. Physicals	
Medical Compliance Reports	current year
Petty Cash	5
Plant Design and Equipment	P
Plant Performance Reports	10
Policies, Corporate	P

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NAME OF RECORD	RETENTION PERIOD
Price Lists	until superseded
Price Quotations	
Purchasing	3
Sales	5
Promissory Notes	10
Property	
Abstracts	P
Appraisals	P
Bids and Estimates	10
Deeds	P
Easements	P
Leases	
Real Property	10
Personal Property	5
Mortgages	5
Options	10
Purchase Agreements	10
Titles	P
Water Rights	P
Proxy Records	
Signed Cards	5
Registers	5
Purchase Orders	
General	2
Capital Expenditures	10
Representation Letters (See Section 115)	P
Record Retention Certificates	P
Safety	
Safety Awards (internal)	P
Loss Exhibits (internal)	current + 1 year
OSHA 200 Logs (RKS)	current + 5 years
Quarterly Safety Statistics	1 year (internal)
Safety or Injury Frequency Reports	3 years
Workshop/Employee Meeting Records (internal)	P
Sales	
Call Reports	6 months
Regional Sales Summary	2
Securities	
Agreements with Trustees of Security Issue	P

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NAME OF RECORD	RETENTION PERIOD
Applications, Listing	P
Bank Notes	5
Registration Statements	P
Securities Exchange Commission Reports and Regulations	P
Stockholders, Lists of	P
Stocks, Capital	
Applications for Issuance	P
Certificates Cancelled	6
Sales or Transfers	6
Stock Option Records	P
Surveys	
Market Data	10
Property	P
Taxes	
Federal Excise and Use	•
Forms W-2	•
Forms W-4 and 1099	•
Income, Federal	P
Income, State	P
Motor Fuel	10
Property	25
State Sales and Use	5
Social Security	P
Telephone Call Reports	no longer than 6 months
Trademarks	P
Training Programs, Manuals and Updates	P
Training Workshop Personnel Files	end of employment plus 5 years
Training Workshop Attendee Records	until superseded
Underground Storage Tank Records	
Closure Records	P
Corrective Action Reports	P
Ownership Notification	P
Release Reports	P
Vehicles	
Annual Vehicle Inspection (396)	18 months
Repair Reports	

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NAME OF RECORD	RETENTION PERIOD
Repair Orders	4 years
Condition Reports	3 months after generation of report
Working Papers/Supporting Documentation	•
Accounting	•
Engineering	5
Landfill Compaction Workpapers and Fly over	•
Environmental Audit	until final
General	same retention period as record that it supports
Insurance	4
Internal Audit	3
Legal	10
Securities and Exchange Commission Reports	P
Taxes	20

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APPENDIX "A"
HAZARDOUS WASTE FACILITY OPERATING RECORD

The required elements of an operating record for hazardous waste facilities shall include items noted below and everything required under Part 241.212 (Records), Subpart E, Manifest System, Recordkeeping and Reporting of Part 264 (Standards) or specified by the facility permit. The Operating Record will consist of any of the following applicable records:

1. Customer and subcontractor agreements.
2. Certificates of disposal of BFI/CECOS generated waste oils/solvents.
3. Type and quantity of chemical wastes (as defined by Section 261, "Special Waste Approval Procedures") received or shipped, dates of receipt and/or shipment and methods of management.
4. Facility laboratory notebooks.
5. Location and quantity of wastes within the facility (grid map for landfills) cross-referenced to manifest numbers.
6. Summary reports of all incidents requiring implementation of the facility contingency plan.
7. All internal and agency site inspection reports.
8. All applicable site monitoring data, such as:
 - Groundwater Monitoring Data,
 - NPDES Discharge Data,
 - Data on any Discharge To a Waste Water Treatment Plant,
 - Leachate Generation and Analyses,
 - Methane Monitoring,
 - Ambient Air Monitoring,
 - Meteorological Information, and
 - Industrial Hygiene Monitoring,
9. Current closure and post-closure cost estimates.
10. Copies of all applicable permits.
11. All correspondence to or from a regulatory agency, and
12. Copies of the following plans: Waste Analysis, Facility Inspection, Preparedness and Prevention, Contingency, Groundwater Monitoring, Closure and Post-Closure. (NOTE: hazardous waste facilities must maintain current copies and all previous versions of these plans).

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APPENDIX "B"

REGIONAL CERTIFICATE
RECORD RETENTION AND DESTRUCTION

I am the Regional Record Retention and Destruction Coordinator for the _____ Region (the "Region") of Browning-Ferris Industries, Inc., and in such capacity, I have custody of the Region's records. In accordance with BFI Corporate Policy #011 of the Policy and Procedures Manual (the "Record Retention and Destruction Policy"), I do hereby certify that I am familiar with such policy and have maintained all of the Region's records in accordance with the Record Retention and Destruction Policy. Relying upon certificates executed by each District Record Retention and Destruction Coordinator within the Region, I certify that except as reflected on the attached Schedule of Suspension Notices which remain open at the date of this Certification, all of the district records within the Region have been maintained and/or destroyed in accordance with the Record Retention and Destruction Policy. Further, I certify that the Region's records have been maintained and/or destroyed in accordance with the policy.

Dated this _____ day of December, 19____.

(Signature)_____
(Typed or Printed Name)



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APPENDIX "C"

DISTRICT OR CORPORATE DEPARTMENT CERTIFICATE
RECORD RETENTION AND DESTRUCTION

I am the Record Retention and Destruction Coordinator for _____ (fill in district or corporate department), and in such capacity, I have custody of the district's or corporate department's records. In accordance with BFI Corporate Policy #011 of the Policy and Procedures Manual (the "Record Retention and Destruction Policy"), I do hereby certify that I am familiar with such policy and have maintained and/or destroyed all of the district's or corporate department's records in accordance with the Record Retention and Destruction Policy. The attached Schedule of Suspension Notices accurately reflects all such Suspension Notices applicable to this district or corporate department and their status, as of the date of this Certification.

This Certificate can be relied upon by the Regional or Corporate Record Retention and Destruction Coordinator.

Dated this _____ day of December, 19____.

(Signature)

(Typed or Printed Name)



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APPENDIX "D"

SUSPENSION OF RECORD RETENTION
AND DESTRUCTION PROCEDURE

The following procedure is designed to provide a mechanism which will assure that records related to litigation or other legal proceedings will not be inadvertently destroyed pursuant to the Record Retention and Destruction Policy. The wrongful destruction of records related to litigation or other legal proceedings could have very serious consequences for the Company including hindering the Company's ability to defend itself and making it impossible for the Company to respond to document production requests required in such matters. Therefore, it is critical that the procedures set forth below be carefully followed as a part of the Record Retention and Destruction Policy and that the document destruction process outlined in the Policy be carefully followed and observed.


Upon receipt or notice of a document requirement, the person responsible for managing the litigation or other legal proceeding ("Responsible Managing Person") to which the documents pertain shall carefully review the document requirement to determine the documents covered and the locations affected.

Immediately upon conclusion of that review, the Responsible Managing Person shall advise in writing ("Suspension Notice") the Record Retention and Destruction Coordinator ("RRDC") at the affected location and region of the document requirement. The Suspension Notice will, as completely as possible, describe the categories of documents affected, and, if applicable, transmit a copy of the actual request. The Corporate RRDC will receive a copy of the Suspension Notice. As to documents within those categories, the normal destruction schedule shall be suspended until further advised.

The Responsible Managing Person for each litigation or other legal proceeding shall advise the RRDC at the affected location in writing when the document requirement with regard to a particular matter has been fulfilled or for any other reason is no longer applicable and the suspension is no longer required. A copy of the notice of the lifting of the suspension shall be provided to the affected Regional RRDC and to the Corporate RRDC.

At the time the suspension is lifted, any documents which, but for the suspension would have previously been destroyed, can then be destroyed immediately. All other documents for which the retention period has not expired shall thereafter be destroyed according to the normal retention and destruction time schedule under the Record Retention and Destruction Policy as if the suspension had not occurred.

Each RRDC at an affected location shall retain a separate file of all such Suspension Notices received. As part of the annual certification pursuant to the Record Retention and Destruction Policy, each location shall submit a list of all open Suspension Notices listing separately by the name of the matter as set forth in the Suspension Notice, those notifications which have been received during that

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calendar year, those which remain open from prior calendar years, and any that have been closed during that calendar year. The Corporate RRDC shall review the list and advise any affected locations and the Responsible Managing Person in writing regarding any discrepancies.

At the end of each quarter of the Company's fiscal year, the Corporate RRDC will produce a list of open suspensions based on the files of Suspension Notices and notices lifting suspensions received by the Corporate RRDC, and will circulate the list for review by each department responsible for managing the litigation or other legal proceedings who shall review the list and confirm its accuracy and correct any errors.



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Insurance on Rented Vehicles

SECTION 017

PAGE 1 OF 1

The following sets forth the company's policy regarding insurance on rental cars obtained from rental agencies such as National, Hertz, Avis, etc. It should be noted that the Company has an established corporate rate agreement with National, and the Company recommends that the traveler use National whenever possible.

When renting cars, the collision insurance coverage offered by the various rental companies is to be declined, however, in the event of a loss to the car resulting from employee negligence or driver error the first \$250 of the loss is the personal responsibility of the employee. The employee/driver will be charged the first \$250; additional loss costs, if any, will be charged to that cost center. If an employee elects to purchase the collision waiver insurance, the cost of such coverage is to be borne personally by the employee.

Primary liability coverage for passenger vehicles is already provided by the rental agency and excess liability coverage, if necessary, will be provided by existing BFI insurance policies.

Employees should be aware that pursuant to the terms of the Company's agreement with National, they are covered for insurance while traveling on Company business, but if the traveler extends a business trip to include pleasure travel, only state minimum limits will apply under the corporate rate with National, and in the case of California, any liability for personal travel will be the responsibility of the traveler.



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JEFFREY N. MARTIN
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June 4, 2001

FILE NO: 32746.000038

U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

Attn: Carlin Prisk


Re: EPA Information Request
Lower Darby Creek Area Site - Clearview Landfill, Folcroft Landfill, and
Folcroft Landfill Annex

Dear Mr. Prisk:

This will confirm, in accordance with our telephone conversation last week, that the U.S. Environmental Protection Agency has given Browning-Ferris Industries, Inc. ("BFI") thirty days from May 30, 2001, until June 30, 2001, to provide an initial response to EPA's information request of May 18, 2001. As explained during our telephone conversation, we expect that some additional time beyond June 30, 2001, may be required to locate and review documents, and to locate and interview employees in order to provide a complete response. We will discuss with you the amount of additional time for the submission of a more complete response at the time we submit our initial response on June 30, 2001.

Thank you for your courtesy and attention to this matter.

Sincerely,



Jeffrey N. Martin

RECORD OF TELEPHONE CONVERSATION

Originator: Carlyn Winter
Prisk

Date: 05/30/01

Time: 3:30pm, 4:25pm

Conversation With:

Name: Jeff Martin, Esq.
Company: Hunten & Williams
Allied Waste/BFI

Telephone #: 202-955-1552
Received/Placed Call

Address:

Follow up:

SUBJECT: Request for extension to 104(e) letter

Mr. Martin called representing Allied Waste to whom a 104(e) was recently sent concerning Lower Darby Creek. Mr. Martin indicated that because Allied had acquired BFI recently and moved HQ from Houston, the records would take some time to locate. In addition he stated that they will need to locate the records for the specific Philadelphia Area companies that may be associated with the Site. I asked MR. Martin if he had an idea as to how long it would take them to compile the information or if there were specific questions that he believed would pose the greatest problem for him. He stated that Allied will be able to provide some information soon - Corporate documents etc, but that the employee records, customer lists and the more detailed things specific to the Philadelphia area BFI companies would take longer. He stated that another 30 -45 days should be enough. I told Mr. Martin that I would need to speak to Brian Nishitani, the attorney on the case and I would get back to him as soon as possible. After speaking to Brian I called Mr. Martin back at 4:25pm and advised him that EPA is willing to give him until the end of June - June 29 - and that at that time I would appreciate a call from him letting me know the progress that had been made and any problems he had encountered in locating the information. Also, any information located in the meantime should be submitted as a partial response to EPA. Mr. Martin agreed to send a letter indicating that he agreed to these terms.

Follow-up needed: Fax interview summary to Jeff Martin.

Follow-up taken:



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APPENDIX "D"

SUSPENSION OF RECORD RETENTION
AND DESTRUCTION PROCEDURE

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Upon receipt or notice of a document requirement, the person responsible for managing the litigation or other legal proceeding ("Responsible Managing Person") to which the documents pertain shall carefully review the document requirement to determine the documents covered and the locations affected.

Immediately upon conclusion of that review, the Responsible Managing Person shall advise in writing ("Suspension Notice") the Record Retention and Destruction Coordinator ("RRDC") at the affected location and region of the document requirement. The Suspension Notice will, as completely as possible, describe the categories of documents affected, and, if applicable, transmit a copy of the actual request. The Corporate RRDC will receive a copy of the Suspension Notice. As to documents within those categories, the normal destruction schedule shall be suspended until further advised.

The Responsible Managing Person for each litigation or other legal proceeding shall advise the RRDC at the affected location in writing when the document requirement with regard to a particular matter has been fulfilled or for any other reason is no longer applicable and the suspension is no longer required. A copy of the notice of the lifting of the suspension shall be provided to the affected Regional RRDC and to the Corporate RRDC.

At the time the suspension is lifted, any documents which, but for the suspension would have previously been destroyed, can then be destroyed immediately. All other documents for which the retention period has not expired shall thereafter be destroyed according to the normal retention and destruction time schedule under the Record Retention and Destruction Policy as if the suspension had not occurred.

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At the end of each quarter of the Company's fiscal year, the Corporate RRDC will produce a list of open suspensions based on the files of Suspension Notices and notices lifting suspensions received by the Corporate RRDC, and will circulate the list for review by each department responsible for managing the litigation or other legal proceedings who shall review the list and confirm its accuracy and correct any errors.